

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Nick Seibel, individually, on behalf of himself  
and all others similarly situated,

Plaintiff,

V.

National Union Fire Casualty Insurance  
Company of Pittsburgh, PA and American  
International Group, Inc, d/b/a AIG,

Defendants.

Case No.: 22-cv-01483-ER

## STIPULATION BETWEEN THE PARTIES REGARDING NON-APPEAL AND BEARING OF COSTS

Plaintiff Nick Seibel (“Plaintiff”) and National Union Fire Casualty Insurance Company of Pittsburgh, PA and American International Group, Inc., d/b/a AIG (collectively, “Defendants”), by and through their respective attorneys, jointly state and stipulate as follows:

WHEREAS, on February 13, 2023, the Court granted Defendants’ Motion to Dismiss the Complaint and dismissed Plaintiff’s action for the reasons set forth in the Court’s Order on Defendants’ Motion to Dismiss (ECF No. 39) (“MTD Order”);

WHEREAS, on February 13, 2023, the Court entered Judgment in favor of Defendants (ECF No. 40);

IT IS HEREBY STIPULATED, by and between the undersigned parties, that:

1. Plaintiff hereby agrees to waive all rights to appeal the MTD Order and Judgment;
2. Each of the parties shall bear his or its own attorneys' fees and costs incurred in connection with this action.

IT IS SO STIPULATED.

DATED: March 8, 2023

ZIMMERMAN REED LLP

/s/ Brian C. Gudmundson

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